

# FarSight<sup>TM</sup>

## Patent Services

RECEIVED  
CENTRAL FAX CENTER

AUG 16 2007

Gary R. Fabian, Ph.D.  
Registered U.S. Patent Agent  
1163 Ruby Street  
Redwood City, CA 94061  
Telephone/Facsimile (650) 780-9030  
GRFabian@FarSightPatent.com

### Fax Cover Sheet

**Date:** Thursday, August 16, 2007 **Time:** 3:24 PM  
**To:** Commissioner for Patents **Phone:** none  
United States Patent and Trademark Office **Fax:** 1-571-273-8300  
**From:** Gary R. Fabian **Phone/Fax:** (650) 780-9030  
Registration No. 33,875  
**Re:** U.S. Patent Application Serial No. 10/004,118 (Intarcia Ref. INT 004.10)

**Number Of Pages Including Cover Sheet:** Six ( 6 pages)

### Message

THE ATTACHED DOCUMENTS ARE TO BE  
MADE OF OFFICIAL RECORD

Transmitted herewith for filing in the above-referenced application are the following documents:

1. Transmittal;
2. Request for Transfer of File to New Examiner; and
3. Certificates of Transmission by Facsimile.

---

This message and its attachments contain information that may be confidential and privileged (e.g., Confidential and/or Subject to Attorney/Client Privilege and/or Subject to Agent/Client Privilege (see, 37 CFR §10.56 and §10.57)). Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the message, attachments, or any information contained in the message or attachments. If you have received the message in error, please advise the sender and destroy the message, as well as any accompanying attachments. Thank you very much.

Please contact us at (650) 780-9030 if you have any problems with this transmission.

---

RECEIVED  
CENTRAL FAX CENTER

AUG 16 2007

ntarcia Ref. No. INT 004.10  
USSN 10/004,118  
PATENT

|  |   |
|--|---|
| <b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>   |   |
| I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, United States Patent and Trademark Office, (Fax No. 571-273-8300) on the date indicated. |   |
| <i>Gary R. Feinman</i><br>Signature  | <i>16 Aug 2007</i><br>Date of Transmittal |

|   |                           |
|---|---------------------------|
| <b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>   |                           |
| In Re Application of: Stanford Mark Moran                 | Confirmation No. 8022     |
| Serial No.: 10/004,118                                    | Art Unit: 1647            |
| Filing Date: 30 October 2001                              | Examiner: Seharaseyon, J. |
| Title: METHOD FOR TREATING DISEASES WITH OMEGA INTERFERON |                           |

**TRANSMITTAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-referenced application are the following documents:

1. Transmittal;
2. Request for Transfer of Application File to New Examiner; and
3. Certificates of Transmission by Facsimile.

RECEIVED  
CENTRAL FAX CENTERIntarcia Ref. No. INT 004.10  
USSN 10/004,118  
PATENT

AUG 16 2007

**Authorization to Charge Deposit Account.**

No fees are believed due in connection with this paper. However, the Commissioner is hereby authorized to charge to Deposit Account No. 504212 any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, with the exception of the payment of the Issue Fee.

Respectfully submitted,

Dated:

16 Aug 2007

By:

Gary R. FabianGary R. Fabian, Ph.D.  
Registration No. 33,875  
Agent for ApplicantIntarcia Therapeutics, Inc.  
2000 Powell Street  
Suite 1640  
Emeryville, CA 94608

RECEIVED  
CENTRAL FAX CENTER

AUG 16 2007

Intarcia Ref. No. INT 004.10  
USSN 10/004,118  
PATENT

## CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, United States Patent and Trademark Office, (Fax No. 571-273-8300) on the date indicated.

*Jerry R. Fabrean*  
Signature

*16 Aug 2007*  
Date of Transmittal

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Stanford Mark Moran

Confirmation No. 8022

Serial No.: 10/004,118

Art Unit: 1647

Filing Date: 30 October 2001

Examiner: Seharaseyon, J.

Title: METHOD FOR TREATING DISEASES WITH OMEGA INTERFERON

## REQUEST FOR TRANSFER OF APPLICATION FILE TO NEW EXAMINER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests the transfer of U.S. Patent Application Serial No. 10/004,118, (Intarcia Ref. INT 004.10), filing date 30 October 2001, from Examiner J. Seharaseyon to Examiner **Bruce D. Hissong**.

Applicant requests the transfer to the new Examiner based on the following information:

1. U.S. Patent Application Serial No. 10/982,398 (Intarcia Ref. INT 004.11), filing date 5 November 2004, and U.S. Patent Application Serial No. 10/982,532 (Intarcia Ref. INT 004.12), filing date 5 November 2004, are currently being handled by Examiner Bruce D. Hissong. Both applications are continuations of U.S. Patent Application Serial No. 10/004,118, which currently are being handled by Examiner J. Seharaseyon.
2. Claims of U.S. Patent Application Serial Nos. 10/004,118 and 10/982,532 have related subject matter as illustrated by the following independent claims:

Intarcia Ref. No. INT 004.10  
USSN 10/004,118  
PATENT

- i. U.S. Patent Application Serial No. 10/004,118: Claim 86. A method of treating hepatitis C (HCV) in a subject in need of such treatment, comprising administering a therapeutically effective amount of omega interferon protein to the subject.
  - ii. U.S. Patent Application Serial No. 10/982,532: Claim 65. A method of treating hepatitis C virus (HCV) infection in a subject in need of such treatment, comprising administering a therapeutically effective amount of omega interferon protein to the subject, wherein the HCV infection exhibits primary or secondary resistance to treatment with alpha interferon.
3. Examiner Bruce D. Hissong has already issued an office action for each of U.S. Patent Application Serial No. 10/982,398, Office action mailing date 1 August 2007, and for U.S. Patent Application Serial No. 10/982,532, Office action mailing date 30 July 2007.

Applicant recently filed a Request for Continued Examination for U.S. Patent Application Serial No. 10/004,118 on 29 May 2007. Currently, no office action has been issued for U.S. Patent Application Serial No. 10/004,118.

**The applicant respectfully requests consolidating all three cases U.S. Patent Application Serial No. 10/004,118, U.S. Patent Application Serial No. 10/982,398 and U.S. Patent Application Serial No. 10/982,532 with Examiner Bruce D. Hissong.**

Please direct all future correspondences in connection with this application to:

Barbara G. McClung, Esq.  
Vice President, General Counsel and Corporate Secretary  
Intarcia Therapeutics, Inc.  
2000 Powell Street  
Suite 1640  
Emeryville, CA 94608  
Phone: (510) 652-2600 (ext. 296)  
Fax: (510) 652-2657

No fees are believed due in connection with this paper. However, the Commissioner is hereby authorized to charge to Deposit Account No. 504212 (please reference docket number INT

Intarcia Ref. No. INT 004.10  
USSN 10/004,118  
PATENT

004.10) any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, with the exception of the payment of the Issue Fee.

If the Examiner notes any further matters that the Examiner believes may be expedited by a telephone interview, the Examiner is requested to contact Barbara G. McClung, Esq., at (510) 652-2600 (ext. 296).

Respectfully submitted,

Date: 16 Aug 2007

By: Gary R Fabian  
Gary R Fabian, Ph.D.  
Registration No. 33,875  
Agent for Applicant  
Phone: (650) 780-9030

Intarcia Therapeutics, Inc.  
2000 Powell Street  
Suite 1640  
Emeryville, CA 94608